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FAX TRANSMITTAL SHEET

TO: Office of Petitions

FAX: 571-273-8300

From: Arthur Freilich

In Re Application of: Alfred E. Mann :
Application: 10/702,565 :
Filed: 11/05/2003 :
For: IMPLANTED OUTER EAR CANAL :
HEARING AID :
:

TOTAL PAGES TO FOLLOW: 3

DATE TRANSMITTED: 13 July 2006

MESSAGE

[MANN182]

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DOCKFT:203/526 US MB 103; AB-375P
APPLICATION: 10702565IN THE UNITED STATES PATENT AND TRADEMARK OFFICE2 In Re Application of:
3 Alfred E. Mann

4 Appl.: 10/702,565

5 Filed: 11/05/2003

6 For: IMPLANTED OUTER EAR CANAL:
7 HEARING AIDRenewed Petition To Accept An
Unintentionally Delayed Claim For
The Benefit Of A Prior-Filed Application
via Fax: (571) 273-8300RECEIVED
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JUL 13 2006

8 Commissioner for Patents
9 Alexandria, VA 22313-1450

10
11 Applicants' filed a Petition on May 2, 2006 seeking the acceptance of an
12 unintentionally delayed claim for the benefit of priority of prior-filed applications. In
13 a Decision mailed on July 06, 2006, Applicants' Petition was dismissed because
14 "the amendment, as worded, is improper". More specifically, the amendment was
15 held to be improper because "it cannot directly claim benefit" to provisional
16 applications filed more than 12 months prior to the filing date of the present
17 application. The Decision observed, however, that a claim for benefit of priority of
18 provisional Applications 60/327,099 and 60/327,071 "may be claimed through
19 intermediate Application No. 10/264,937".

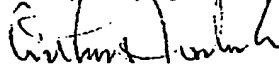
20 In order to rectify the deficiency of the previously filed amendment,
21 Applicants' undersigned attorney spoke with Petitions Examiner Hicks on July 12,
22 2006. As a consequence, a further amendment to the specification is submitted
23 herewith which avoids the deficiency cited in the Decision.

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DOCKET:203/525 US MB-103; AB-375P
APPLICATION: 10/702565

1 Favorable reconsideration is courteously requested.
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Respectfully submitted,

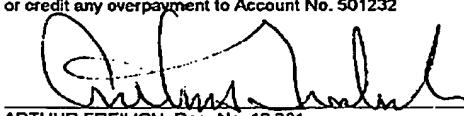


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DEPOSIT ACCOUNT AUTHORIZATION:

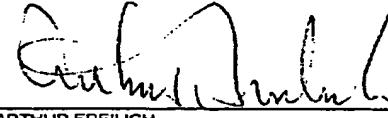
Throughout the prosecution of this application the Patent and Trademark Office is authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 501232



26 ARTHUR FREILICH, Reg. No. 19,281
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CERTIFICATION OF FACSIMILE:

I hereby certify that this correspondence is being transmitted via facsimile to (619) 273-8300 addressed to: Office Of PETITIONS on 13 July 2006.



ARTHUR FREILICH